

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Danny Rivera	Team: Team # 3	CCRB Case #: 201005618	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/28/2010 3:50 PM	Location of Incident: Sterling Place and Utica Avenue	Precinct: 77	18 Mo. SOL 10/28/2011	EO SOL 10/28/2011	
Date/Time CV Reported Wed, 04/28/2010 4:08 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 04/28/2010 4:08 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Edwin Espinal	09609	934831	077 PCT
2. POM Stephen Minucci	07979	935326	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Stephen Minucci	Abuse: PO Stephen Minucci stopped § 87(2)(b)	
B.POM Edwin Espinal	Abuse: PO Edwin Espinal stopped § 87(2)(b)	
C.POM Stephen Minucci	Abuse: PO Stephen Minucci frisked § 87(2)(b)	
D.POM Stephen Minucci	Abuse: PO Stephen Minucci searched § 87(2)(b)	

Case Summary

§ 87(2)(b) filed this complaint with the Civilian Complaint Review Board via telephone on April 28, 2010. On April 28, 2010, at approximately 3:50 p.m., § 87(2)(b) indicated that he was walking along Sterling Place near Utica Avenue when he was stopped by two officers, PO Stephen Minucci (§ 87(2)(b)) and PO Edwin Espinal (§ 87(2)(b)), whose names were obtained from their uniforms and who had exited an unmarked, black Impala. There were two other uniformed officers at the scene, PO1 and PO2, but they remained inside the vehicle. Upon approach, PO Minucci frisked § 87(2)(b) and searched the pockets of his jacket and pants, eventually removing his identification. From the identification PO Minucci recorded § 87(2)(b)'s name and related information. When § 87(2)(b) protested being stopped and frisked, PO Minucci indicated that he did not have to explain himself to him, and stated that he and the other officers were searching for a man wearing a gray jacket—just as § 87(2)(b) had been wearing. Once PO Minucci completed his search, § 87(2)(b) was told that he was free to go. § 87(2)(b) was not issued a summons during the incident. Because § 87(2)(b) provided the names of the subject officers, the allegations are being pleaded against them.

On May 3, 2010, the undersigned mailed the first “please call” letter to § 87(2)(b). On that same day, the undersigned attempted to reach § 87(2)(b) via telephone, but without success; no option to leave a voicemail message was made available. On May 6, 2010, § 87(2)(b) contacted the CCRB and provided a more detailed account of the incident. At that time, an interview appointment was scheduled for May 11, 2010. However, § 87(2)(b) failed to appear for his scheduled interview—without calling ahead to cancel or reschedule. A missed appointment letter was mailed to § 87(2)(b)'s attention on May 11, 2010. On May 12 and May 13, 2010, the undersigned made unsuccessful attempts to contact § 87(2)(b) via telephone, and it was not possible to leave a voicemail messages. On May 13, 2010, a review of the New York City Department of Correction's Inmate Lookup Service returned that § 87(2)(b) is not currently under custody of that agency. To date, the two letters that were sent to § 87(2)(b) have not been returned by the United States Postal Service.

§ 87(2)(g)

Team: Three

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____

	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date